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Secretariat for Multidimensional Security

XLV MEETING OF THE GROUP OF EXPERTS
FOR THE CONTROL OF MONEY LAUNDERING
October 4 and 5, 2018
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PROPOSED TOPICS FOR THE WORK PLAN 2018 - 2019 FOR THE SUB-WORKING GROUPS

2018



STRATEGIC PLAN 2018-2020 Lines of Action	PROPOSAL OF ACTIVITIES TO BE DEVELOPED FOR THE WORK PLAN	OBJECTIVE	METHODOLOGY	RESULT
Subgroup of Work in Financial Intelligence Units and Criminal Investigation Organizations.				
1. AML/CFT Risk Analysis	a) Diagnosis of the prosecution of money laundering cases based on crimes of migrants smuggling and trafficking in persons in the region	The objective of this study is to know if the members of the Group are prosecuting money laundering cases originated by crimes of migrant smuggling and trafficking in persons in the region.	<p>A questionnaire will be designed and sent to the Technical Secretariat in November 2018 to be answered by all the delegations until March 2019. With the information and documentation collected, the Diagnostic will be developed, presenting its progress in May 2019 and its final report in September 2019, in the plenary meeting.</p> <p>To carry out this task, the coordination of the Group, specifically the delegation of Chile, will prepare the questionnaire and send it to the Technical Secretariat within the aforementioned period.</p>	Proposed Diagnosis of the prosecution of money laundering cases based on crimes of migrants smuggling and trafficking in persons in the region
2. Expert evidence (experts)	b) Best practice guide on using expert reports as proof in cases of money laundering	The objective is to establish guidance guidelines for the effective use and introduction of expert financial and accounting reports in criminal proceedings	<p>A new questionnaire will be designed with the participation of the delegations of Mexico, Panama, Peru and Paraguay, who will prepare the glossary of terms and the proposed questions.</p> <p>The delegations of Chile and Bolivia will coordinate the work, and until December 2018, once these inputs are delivered by the indicated delegations, they will be sent to the Technical Secretariat for revision.</p>	Proposal for a Best Practices Guide



			The questionnaire will be sent to the countries in January 2019, with expected deadline to receive answers until March. A preliminary report will be delivered in May 2019 and the Guide will be concluded by September 2019, to be presented at the plenary meeting.	
4. Preparation of recommendations that allow the countries to unify criteria regarding the information that is shared between FIU and LEA and their probative value	c) Study of comparative legislation and technical guidelines of international organizations regarding the probative value of intelligence reports in the region	<p>The objective is:</p> <p>a) To know the legislation of the countries of the region regarding the use of intelligence information in criminal money laundering processes and their precedent crimes.</p> <p>b) Compare the legislations of the countries with the guidelines of the international organizations that work on this issue such as FATF and OAS/CICAD.</p>	<p>This work will be carried out by analyzing the rules of the financial intelligence units. Based on them, a report will be prepared. The request for information to the delegations will be exceptional, only in case where further explanation about the interpretation and application of the law, or to request additional information.</p> <p>The FATF recommendations and OAS / CICAD guidelines will be revised to compare with the legislations studied and to draw conclusions for the report. The information will be compiled until January 2019. In case the information is not shared within this timeframe, the Technical Secretariat will make an additional request directly to the delegations. The deadline to gather all information is March 2019.</p> <p>A preliminary report will be presented in May 2019 and the final report will be presented at the September 2019, during the plenary meeting.</p> <p>The delegation of Bolivia, co-coordinator of the Sub-working Group, will be in charge of the Study.</p>	Report on criteria applied by the LOA regarding the use of FIU financial intelligence reports



STRATEGIC PLAN 2018-2020 Lines of Action	PROPOSAL OF ACTIVITIES TO BE DEVELOPED FOR THE WORK PLAN	OBJECTIVE	METHODOLOGY	RESULT
Subgroup of Work on Forfeiture and International Cooperation.				
5. Update of the document on best practices on management of seized and forfeited assets - PROJECT BIDAL (PE)	a) Carry out an analysis and update international standards and best practices in self-sustainability of the seized and forfeited assets management systems.	Identify, analyze and update international standards and best practices for the management of seized and forfeited assets.	The Technical Secretariat will work in co-ordination with the Delegation of Costa Rica. According to the deadlines, a questionnaire will be drafted and presented in May 2019. Following its approval, it will be sent to delegation in the following month to prepare the document.	Proposal of Guide Updated: identification of advantages and disadvantages regarding the systems for the management of seized and forfeited assets. Document developed with the support of Project BIDAL.
6. Seizure of equivalent and mixed assets (PE)	b) Conduct a study on the application and management of forfeited assets of equivalent value and mixed assets in the OAS member states.	Identify countries that have already developed legislation that regulates the cases of equivalent and mixed assets and identify the need to incorporate these legal figures in the laws of the other countries.	The Technical Secretariat will work in co-ordination with the Delegation of Costa Rica. Initially, it was suggested to carry out an evaluation of the existing regulations in the member countries and later on make a direct consultation through questionnaires regarding the existing legislation for the treatment of equivalent and mixed assets.	Study on the existing processes regarding the forfeiture of equivalent and mixed assets.